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Applicant: G. King

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Serial No.: 09/496,549

For: Method and System for Handling
Telecommunications Data TrafficI hereby certify that this paper is being sent this day
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Filed: February 2, 2000

Brian K. Johnson
Attorney Name46,808
Reg. No.

Group: 2738

SignatureOctober 12, 2001
Date of Signature

Examiner: A. Qureshi

Att'y Dkt.: 96 P 7613 US 04

Request for ReconsiderationAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Claims 32-39 are pending in this application. In the office action mailed July 18, 2001, claims 32-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,621,731 (Dale et al.) in view of U.S. Patent No. 4,446,337 (Cofer). Reconsideration is respectfully requested.

A telephone conversation was held on October 11, 2001 between the examiner, Mr. A. Qureshi, and Joel Miller, Esq., Reg. 29,955, on behalf of the applicant. The outstanding rejection of the claims and the cited references, U.S. Patent No. 5,621,731 (Dale et al.) and U.S. Patent No. 4,446,337 (Cofer), were discussed. Although no specific agreement was reached concerning the claims, the applicant thanks the examiner for the opportunity to discuss the application.

As discussed during the conference with the examiner on October 11, 2001, the purpose of the invention is "sending data, received on a subscriber line connected to a subscriber line module communicating with a central office comprising a switch, directly

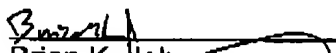
to a router...." Claim 32. This requires the steps of "intercepting the data on the subscriber line" and "sending the data directly to the router while bypassing the switch" (independent method claim 32 and dependent claims 33-37). As used in the context of the claims, data is a non-voice call.

Neither of the cited references disclose, teach, or suggest these two steps nor is there a suggestion in either reference to combine or modify their respective technologies in such a fashion to achieve the applicant's claimed method. As stated in the office action, "Dale fails to disclose an intercepting system, intercepting the data on the subscriber line." Cofer does not supply this missing link either, as it is directed to an AIS (automatic intercept system), which concerns calls that cannot be completed. To arrive at the applicant's claimed method, routing data calls around a switch, there has to be some suggestion in the art to make the modifications discussed on page 3 of the office action. There are no such suggestions in the art or elsewhere and therefore the claims are not obvious in view of the cited art. The same arguments apply to the apparatus claims.

In summary, independent claims 32 and 38 are allowable and dependent claims 33-37 and 39 are also allowable. Therefore, the applicant respectfully requests that the examiner pass the application to allowance.

Dated: October 12, 2001

Respectfully submitted,


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